

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

GEORGE TYLE SULLIVAN
ADC #610057

PLAINTIFF

v.

Case No. 4:20-cv-00740-KGB-JTK

VETIS S. MALONE, Corporal,
Varner Supermax, et al.

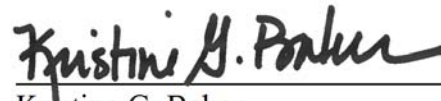
DEFENDANTS

ORDER

The Court has reviewed the two Proposed Findings and Recommendations submitted by United States Magistrate Judge Jerome T. Kearney (Dkt. No. 3, 19). Plaintiff George Tyle Sullivan has not filed any objections, and the time to file objections has passed. Accordingly, after careful consideration, the Court concludes that the Proposed Findings and Recommendations should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects (*Id.*).

The Court dismisses Mr. Sullivan's claims of failure to protect, violation of policies, and interference with the grievance process for failure to state a claim upon which relief may be granted (Dkt. No. 2). The Court grants in part and denies in part defendants Corporal Vetis S. Malone and Major Brandon Carroll's motion for partial summary judgment on the issue of exhaustion (Dkt. No. 15). Defendants' motion for summary judgment is granted as to Mr. Sullivan's failure to protect claim against Corporal Carroll because Mr. Sullivan failed to exhaust this claim. Defendants' motion for summary judgment based on Mr. Sullivan's failure to exhaust his retaliation claims is denied. Mr. Sullivan may proceed with his excessive force, deliberate indifference, and retaliation claims (*Id.*).

It is so ordered this 26th day of January, 2021.

A handwritten signature in black ink, reading "Kristine G. Baker". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Kristine G. Baker
United States District Judge